



PLANNING COMMISSION AGENDA REPORT

MEETING DATE: JANUARY 26, 2004

ITEM NUMBER:

**SUBJECT: APPEAL OF MINOR CONDITIONAL USE PERMIT/MINOR DESIGN REVIEW ZA-03-94
440 EAST 19TH STREET**

DATE: JANUARY 15, 2004

FOR FURTHER INFORMATION CONTACT: WENDY SHIH, ASSOCIATE PLANNER (714) 754-5136

DESCRIPTION

Appeal of Zoning Administrator's approval of a minor conditional use permit/minor design review for the construction of a detached, two-car garage (to replace existing) with an office/library and full bathroom upstairs.

APPELLANT

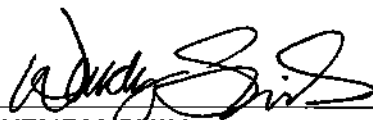
A neighboring resident, Morris Berger, filed the appeal request.

APPLICANT

Andrew Hartzell is the property owner and applicant for this project.

RECOMMENDATION

Uphold Zoning Administrator's approval of the request.



WENDY SHIH
Associate Planner



PERRY L. VALANTINE
Asst. Development Services Director

PLANNING APPLICATION SUMMARY

Location: 440 E. 19th St. Application: ZA-03-94

Request: MCUP and MDR for an office with full bathroom above a new detached garage at the rear of the property.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>R1</u>	North: <u>R1</u>
General Plan: <u>Low Density Residential</u>	South: <u>R1</u>
Lot Dimensions: <u>62 ft. x 125 ft.</u>	East: <u>R1</u>
Lot Area: <u>7,750 sq. ft.</u>	West: <u>R1</u>
Existing Development: <u>Single story, single-family residence with a detached 2-car garage.</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
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Lot Size:		
Lot Width	50 ft.	62 ft.
Lot Area	6,000 sq. ft.	7,750 sq. ft.
Density:		
Zone	1 du/6,000 sq. ft.	1/7,750 sq. ft.
General Plan	1 du/5,445 sq. ft.	1/7,750 sq. ft.
Building Coverage:		
Buildings	NA	33% (2,544 sq. ft.)
Paving	NA	4% (341 sq. ft.)
Open Space	40% (3,100 sq. ft.)	63% (4,865 sq. ft.)
TOTAL	100%	100%
2 nd to 1 st Floor Ratio (accessory structure):	80% *	97% (500 sq.ft./514 sq. ft.)
Building Height (accessory structure):	2-stories/27 ft. (max.)	2 stories/22 ft.
Setbacks (accessory structure):		
Front (to main residence)	10 ft.	16 ft.
Side (left/right)	5 ft./5 ft.	28 ft./ 5ft.
Rear (alley)	5 ft.	4 ft. **
2 nd Floor Average Side Setback:	10 ft. average *	6 ft. average
Parking:		
Covered	2	2
Open	1	1
TOTAL	3	3
Driveway Width:	10 ft.	28 ft.

NA = Not Applicable or No Requirement

CEQA Status Categorical Exemption: Class 3

Final Action Zoning Administrator

* Residential design guidelines.

** Minor Modification MM-03-57 approved for 1 ft. encroachment.

BACKGROUND

The property is developed with a single-story, single-family residence and a detached garage at the rear with alley access. On December 19, 2003, the Zoning Administrator approved a minor conditional use permit/minor design review for an office/library and full bathroom above a detached, two-car garage (to replace existing). A minor modification was also approved for a 1 ft. encroachment into the rear setback (5 ft. required; 4 ft. proposed) for second floor projection to provide architectural interest on the (rear) elevation facing the alley.

Morris Berger, a neighboring resident to the left (west), appealed the approval on December 26, 2003. He feels that the proposed design, including the exterior staircase, would have direct line of sight into his backyard and create an intrusion of privacy on his property.

ANALYSIS

A minor design review is required for any 2-story construction in the R-1 (Single Family Residence) zone to ensure proper design consideration and compatibility with surrounding properties.

The Zoning Administrator found the proposed construction would be substantially compatible and harmonious with the neighborhood, and the scale and massing of the proposed construction would not be obtrusive from the street or other properties. It is staff's opinion that the proposal meets the purpose and intent of the Residential Design Guidelines. Although the 2nd floor exceeds 80% of the 1st floor (500 sq.ft./514 sq. ft. = 97%) and does not provide a 10 ft. average side setback on the right (east) side (6 ft. proposed), it incorporates projections, offsets, articulation and variation in roof orientation for an interesting building mass. The proposed 2nd floor is only 500 sq. ft., which would have been well under the 80% 2nd to 1st floor ratio requirement if it were attached to the main residence (2,030 sq. ft.). The 2nd floor elevation at 6 ft. right side setback is only about 22 ft. in length, overlooking the neighbor's garage, and incorporates a horizontal plane break with the 1st floor eave projection.

The proposed size, design, and location of the structure help to preserve open space on the site and open air for the adjoining properties since it is detached from the main residence and located in the back corner of the lot. It would not overshadow the adjoining dwelling units or backyards. Although views into adjoining properties cannot be eliminated entirely, as with any 2-story construction, the proposal takes into consideration window/balcony locations and other site features to minimize privacy impacts. The proposed structure is set back 28 ft. (10 ft. average for second story required per Design Guidelines) from the appellant's property and is separated from that property by a row of mature trees, which will remain to minimize views into Mr. Berger's backyard. The property owner/appli-

cant, Mr. Hartzell, indicated that the existing trees may be replaced in the future as they reach the end of their life span. However, he has been consulting with his landscape architect regarding appropriate, mature trees to plant along that side of the property to minimize privacy impacts on Mr. Berger's property. The neighbor to the right (east) has reviewed the plans and submitted a letter to support the construction.

A minor conditional use permit is required for a detached accessory structure that includes a toilet, bathtub, shower, or any combination thereof. The proposed office/library above the detached garage contains a bathroom with toilet, sink and bathtub. It is Mr. Hartzell's intent to use this space as his office/library. It is staff's opinion that the design of the structure with an exterior staircase accessed from the interior of the property and no enclosed access from first to second floor make it more difficult to convert the structure into a separate dwelling unit. The staircase is designed to be accessed through the backyard, from the main dwelling unit. The property owner/applicant has also agreed, and a condition has been included, to require a land use restriction be recorded against the property to provide notice that the structure may not be converted to a separate dwelling unit.

ALTERNATIVES

Should Planning Commission deny Minor Design Review ZA-03-94, the applicant may not construct the office/library above the garage as designed. A similar project may not be submitted for 6 months.

ENVIRONMENTAL DETERMINATION

This project is exempt from the requirements of the California Environmental Quality Act.

CONCLUSION

It is staff's opinion that the construction would be substantially compatible and harmonious with the neighborhood. Based on the above analysis, the proposed structure would not appear obtrusive in the neighborhood nor would it create substantial privacy impacts into neighboring properties. A land use restriction will also be recorded to ensure that the property remains a single-family residence.

Attachments: Draft resolution including exhibits "A" and "B"
 Appeal Application Form
 Description/Justification Form
 Zoning/Location map
 Aerial Photograph
 Plans
 Zoning Administrator's approval letter

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cc: Deputy City Manager-Dev. Svs. Director
Assistant City Attorney
City Engineer
Fire Protection Analyst
Staff (4)
File (2)

Andrew Hartzell
440 E. 19th St.
Costa Mesa, CA 92627

Morris Berger
436 E. 19th St.
Costa Mesa, CA 92627

Barbara Beck
443 Flower Street
Costa Mesa, CA 92627

RESOLUTION NO. PC-04-

**A RESOLUTION OF THE PLANNING COMMISSION OF THE
CITY OF COSTA MESA APPROVING MINOR CONDITIONAL
USE PERMIT/MINOR DESIGN REVIEW ZA-03-94.**

THE PLANNING COMMISSION OF THE CITY OF COSTA MESA HEREBY
RESOLVES AS FOLLOWS:

WHEREAS, an application was filed by property owner Andrew Hartzell, with respect to the real property located at 440 E. 19th Street, requesting approval of a minor conditional use permit/minor design review for the construction of a detached, two-car garage with an office/library and full bathroom upstairs, in the R1 zone; and

WHEREAS, on December 19, 2003, the Zoning Administrator approved Minor Design Review ZA-03-94; and

WHEREAS, an appeal application was filed on December 26, 2003; and

WHEREAS, Planning Commission held a duly noticed public hearing on January 26, 2004.

BE IT RESOLVED that, based on the evidence in the record and the findings contained in exhibit "A", and subject to the conditions contained in exhibit "B", the Planning Commission hereby **APPROVES** Minor Conditional Use Permit/Minor Design Review ZA-03-94 with respect to the property described above.

BE IT FURTHER RESOLVED that the Costa Mesa Planning Commission does hereby find and determine that adoption of this Resolution is expressly predicated upon the activity as described in the Staff Report for Minor

Conditional Use Permit/Minor Design Review ZA-03-94 and upon applicant's compliance with each and all of the conditions contained in Exhibit "B". Any approval granted by this resolution shall be subject to review, modification or revocation if there is a material change that occurs in the operation, or if the applicant fails to comply with any of the conditions of approval.

PASSED AND ADOPTED this 26th day of January, 2004.

Chair, Costa Mesa
Planning Commission

EXHIBIT "A"**FINDINGS**

1. The information presented substantially complies with Section 13-29(e), 13-29(g)(2), and 13-29(g)(14) of the Costa Mesa Municipal Code in that:
 - a. The proposed development and use, subject to conditions, is compatible and harmonious with uses on-site as well as those on the surrounding properties. With exception of the rear setback encroachment for architectural interest, the project meets or exceeds all residential development standards and the intent of the design guidelines.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional aspects of the site development such as automobile and pedestrian circulation have been considered.
 - c. The project is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
 - e. The proposed development/use, subject to conditions, is substantially compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
 - f. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. Although the second floor to first floor ratio exceeds 80% and the second-story right side does not have an average of 10 ft. setback, it incorporates an eyebrow roof to break up the elevation. Also, the second-story portion at 6 ft. side setback is only approximately 22 ft. in length and overlooks the garage on the adjacent property so visual impact is not anticipated. The size and location of the proposed structure is such that it would not appear obtrusive or out of character with the established neighborhood.

2. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
3. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

EXHIBIT "B"**CONDITIONS OF APPROVAL**

- Plng. 1. A land use restriction (stating that the proposed addition may not be converted to a separate dwelling unit) executed by and between the applicant and the City of Costa Mesa shall be recorded prior to the issuance of building permits. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.
2. Street address shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the public street. Numerals shall be a minimum 6" in height with not less than ½" stroke and shall contrast sharply with the background. Street Address shall also be displayed on the north elevation (facing the alley) of the proposed structure.
3. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. Plans submitted for plan check shall indicate how this will be accomplished.
4. The conditions of approval and ordinance or code provisions of minor design review ZA-03-94 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
5. The applicant shall contact the Planning Division to arrange for a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- Eng. 6. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

CITY OF COSTA MESA
P.O. BOX 1200
COSTA MESA, CALIFORNIA 92626
APPLICATION FOR APPEAL OR REHEARING

FEE: \$ 305

Applicant Name Morris Berger

Address 436 E 19TH ST.

Phone (949) 650-7623 Representing _____

Decision upon which appeal or rehearing is requested: (Give number of rezone, zone exception, ordinance, etc., if applicable, and the date of the decision, if known.) ZA-03-94 (12-19-03)

Decision by: ZONING ADMINISTRATOR

Reason(s) for requesting appeal or rehearing:

The Berger Family is requesting that the Costa Mesa Planning Commission hear our appeal to amend the conditional use permit granted Mr. Andrew Hartzell at 440 E. 19th St. Costa Mesa, CA on December 19, 2003 for the following reasons:

1. It proposes an unreasonable invasion of our privacy and an unnecessary direct line of sight from into our yard from a second story exposed staircase, landing, glass-paned door and a large expanse glass windows producing a crow's nest effect overlooking directly into our yard.
2. It is not clear from our discussion with the Zoning Administrator how the outside staircase is justified to limit conversion of the garage to a rental unit. It is also not clear that from the neighborhood standard that a twenty five foot set back should be applied to everyone's second story view into adjacent backyards, thereby creating an apartment house complex effect.
3. Mr. Hartzell indicated to us that the current partial barrier of cypress trees would be removed due to their condition and additional room construction to his home and would have to be replaced by mature new growth. The permit is deceptive in not acknowledging Mr. Hartzell's avowed intention to replace and maintain tree barrier along the entire rear yard property line.
4. We contacted the Planning Division by mail, email, telephone and visited the Residential Information website, prior to the deadline for the decision. However while we were advised to wait for the appeal process, we were not told that it would cost \$305.00. As we did not have the opportunity to approach the Zoning administrator or any Commissioners interested in our situation, we request that we be reimbursed for this fee.

Date: 12/26/03 Thank you for consideration of this request.

Signature: Morris Berger

The Bergers,

For Office Use Only — Do Not Write Below This Line

SCHEDULED FOR THE CITY COUNCIL/PLANNING COMMISSION MEETING OF:

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT

JANUARY 26, 2004

DEC. 26 2003

DESCRIPTION/JUSTIFICATION

Application #:

Environmental Determination:

Address: 440 East 19th Street
Costa Mesa, CA 92627**1. Fully describe your request:**

Please see attachment.

2. Justification

- A.** For a Conditional Use Permit or Minor Conditional Use Permit: Describe how the proposed use is substantially compatible with uses permitted in the same general area and how the proposed use would not be materially detrimental to other properties in the same area.

Please see attachment.

- B.** For a Variance or Administrative Adjustment: Describe the property's special circumstances, including size, shape, topography, location or surroundings that deprive the property of privileges enjoyed by other properties in the vicinity under the identical zoning classification due to strict application of the Zoning Code.

3. This project is: (check where appropriate)☐ In a flood zone.☐ Subject to future street widening.☐ In the Redevelopment Area.☐ In a Specific Plan Area.**4. I have reviewed the HAZARDOUS WASTE AND SUBSTANCES SITES LIST published by the office of Planning and Research and reproduced on the rear of this page and have determined that the project:**☒ Is not included in the publication indicated above.☐ Is included in the publication indicated above.

Signature

Date

1) I am proposing an addition to my home consisting of a library/home "office" workspace and bath. In order to preserve open space and expand my house in a way which is harmonious with the character of the neighborhood, I am proposing to add this space as a second story above my garage, which is a detached garage with alley access, approximately 50 years old. The garage currently contains a washer and dryer, as well as an adjacent sink. I am proposing to replace the existing sink in the new garage.

This project will require demolishing the existing garage and rebuilding the garage to accommodate the library/home office above it. The dimensions are as follows:

Existing Garage:	400 sq. feet
New Garage:	514 sq. feet
Library/Office:	477 sq. feet

2.A) My house is a relatively small three bedroom/two bathroom cottage structure typical of the homes built in this area of the Eastside in the mid 1950's. The house (excluding the garage) is roughly 1,500 square feet and sits on a 7,750 sq. foot lot.

Although I need more space in my house, I have strived from the outset to be sensitive to the potential impacts of expansion on my neighbors and on the character of the neighborhood. Rather than expand in a "big-box" style remodel, I have tried to keep the additional remodel space to a minimum, while still achieving my fundamental requirements.

I have been working with architect Tom Burger of Burger and Associates to design this remodel. Working with Burger and Associates and in consultation with my immediate neighbors to either side, I have designed this addition: (i) to respect the privacy interests of my neighbors, (ii) to be harmonious and compatible with the existing character of the neighborhood, and (iii) to deter any subsequent purchaser of my home from converting this addition into some sort of rental space. Because I believe that I have accomplished all three of these objectives, I am requesting approval from the City of my Minor Conditional Use Permit application and Minor Design Review application.

I am an attorney and writer, and as such I have a need for a room at home wherein I can comfortably read, research and write. One of the primary reasons why I moved to Costa Mesa and purchased a house in this neighborhood was to enjoy the relatively larger yards found here. I want to retain this important character of the neighborhood and home while also allowing this house to be functional for my needs.

Discussions with various architects led to the conclusion that the library/office could not be constructed as a second floor to the existing house without incurring substantial costs in demolishing and rebuilding substantial portions of the support walls and related support structure of the house. I do not wish to undertake such a drastic change to the existing house.

I have elected not to physically connect the detached garage to the house via a hallway in order to prevent chopping up and reducing the open space provided by the rear and side yards. I believe that this approach will enable this remodel to best maintain the existing

character of the neighborhood. However, I also have designed the addition to ensure that any subsequent purchaser of my home will not want to convert this space into a rental studio apartment. To this end, I have designed the addition to have substantial window areas and glass doors on the south and west walls, looking down into my backyard and directly into my master bedroom. In addition, I am currently in the process of adding a pair of large french doors and a bedroom patio to the north facing wall of my master bedroom (these plans were recently approved by the City). Accordingly, the main library windows will be positioned to look down into my backyard, into the master bedroom (through the large french doors) and into the master bedroom patio – a design feature which should deter any subsequent homeowner from wanting a third party occupying the second floor library.

Also, I am willing to execute a Declaration of Land Use Restriction on my property to specifically prohibit the use of this room as a rental unit, and to prohibit such use by any subsequent purchaser of the property.

My architect and I have also designed the second floor library so as to concentrate the visual horizon into my backyard – as opposed to that of my neighbors. The bathroom window on the east wall is necessary for proper ventilation, but it looks onto the roof of the neighbors' garage. The other window on the east wall will provide architectural relief and character, but is elevated so as to protect the privacy of the neighbors. Moreover, I have discussed these elements with those neighbors (Jack and Kate Kaylor), and they fully support my proposal. I am including a letter of support from them. The Kaylor's house and yard are the closest to the second floor addition, and as such they are the most affected by the proposed addition.

The neighbors' house and yard to the west are screened off from view (even with a second story addition) by a row of cypress trees in my backyard. It is my desire and intent to maintain such vegetation screening along the side yard, which will protect the privacy of those neighbors. I am enclosing a copy of preliminary landscaping plans from my landscape architect which show the current existence of this screening vegetation. In fact, I intend to extend screening vegetation further back to the rear corner of the yard, provided that the City Council approves the changes to the governing ordinances (as I understand it intends to do this year) which would then not require this fourth parking space in the rear corner of my lot. By placing the second story to the opposite side of the yard and maintaining (and even augmenting) effective vegetation screening along the side yard, my design will also respect the privacy of my neighbors to the west.

Also, I am requesting the City's permission to include a bathroom (including a shower/bathtub) as part of the second floor library. In order to make the library/office a practical work area, a toilet and sink within easy walking distance is essential. Furthermore, the existing two bathrooms in the house are very small and not well-positioned for expansion. Neither can accommodate a soaking tub – a feature that I would like to add to my home. The library/office affords the opportunity to add that feature to my home.

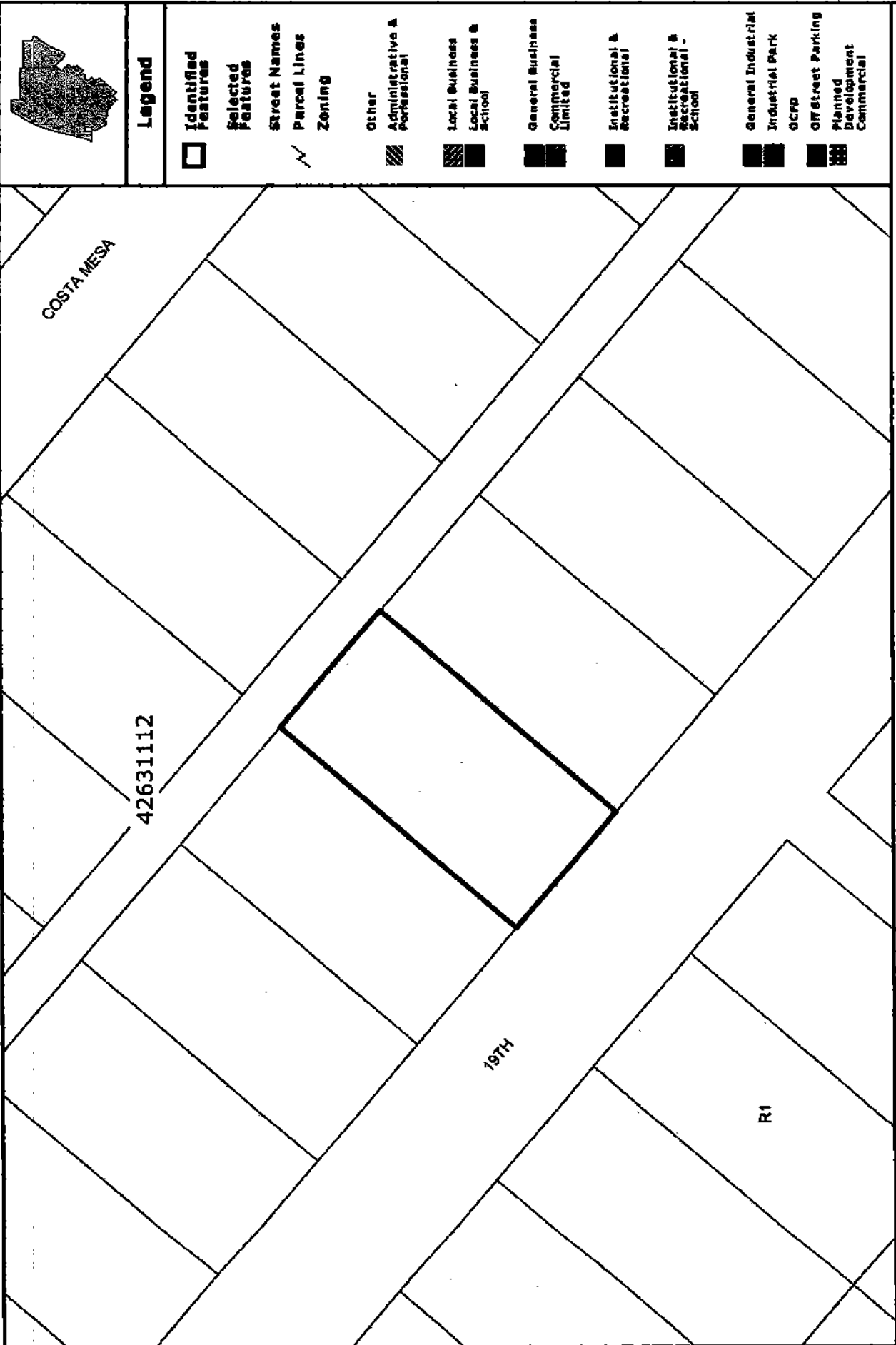
I am also requesting approval of a sink in the garage to facilitate the use of the washer/dryer space designed in the garage. Currently, the garage has a sink next to the washer

and dryer. I have found a sink next to the washer/dryer and garage work area to be invaluable both for soaking clothes and for clean-up after work in the yard and the garage.

As I have carefully and thoughtfully designed the library/study addition: (i) to maximally ensure that it is always used by the resident of the primary dwelling as part of the house, (ii) to deter any future resident from using the addition as anything other than part of the main house, and (iii) to ensure that the privacy of my immediate neighbors is protected and respected, I respectfully request that the Zoning Administrator approve my plan and designs as submitted to the City.

ZONING/LOCATION MAP

440 East 19th Street



AERIAL PHOTOGRAPH

440 East 19th Street



Legend

- Identified Features
- Street Names
- Parcel Lines
- Ortho Photography
- Parcels

1. ALL ROOF FASTENERS SHALL BE INSTALLED PER MANUFACTURER'S INSTRUCTIONS. CALL OUT FASTENERS TO RESIST WIND LOAD OF NOT LESS THAN 60 LBS. FOR EACH SQ. FT. OF AREA.
2. IF FROM ANY OPENING INTO THE BUILDING, FURNISHING VENTS SHALL BE CONSOLIDATED AND LOCATED IN NONCORROSIVE ROOF AREAS OTHER THAN ROOF DOWNS WHERE POSSIBLE.
3. A CORRODED ENGINEERING DETAIL WILL BE REPEATED AND REDESIGNED FOR THE PROPOSED ROOF TYPE AND THE PROPOSED FORMS, REINFORCING STEEL OR CONCRETE IN CASES INVOLVING INSULATION AND APPROVAL.
4. EXISTING SKEWER LATERAL TO BE CHANGED AND A CLEANOUT INSTALLED. CLEANOUTS WITH 6" DIA. STANDARD 45° CONE OF THE BUILDING INSPECTOR.
5. ALTERATION TO THE BUILDING SKEWER IS DONE.
6. ADDITIONAL PLUMBING REPAIRS REQUIRE INCREASE IN SIZE OF BUILDING SKEWER.
7. THE BUILDING SKEWER LINE.
8. WHEN IT IS FOUND THAT THE BUILDING SKEWER IS INSTALLED AS AN ILLICAL OR UNSANITARY MANNER.
9. IF THE AREA OF ADDITION IS GREATER THAN 50% OF THE EXISTING AREA.
10. FIELD INSPECTORS TO REVIEW AND APPROVE UNDERGROUND SEWER REQUIREMENTS PRIOR TO CONCRETE PLACEMENT.
11. SET UTILITY PLANS FOR LEFT SWINKES, OUTLETS, HOBBSES, SINKS, CUPBORDS, SINKS, UTILITY LINES.
12. BEFORE CONCRETE IS PLACED, IS REQUIRED FOR METER LOCATION PRIOR TO INSTALLATION.
13. ALL UTILITIES ARE TO BE LINES GROUND TO THE NEAREST UTILITY POLE.
14. VERIFY OR PROVE CONCRETE DRAINED GROUNDING ELECTRICAL WIRING AND HEAR THE BOTTOM OF A CONCRETE ROOMING IN DIRECT CONTACT WITH THE EARTH, CONSISTING OF AT LEAST 20 FT. OF #4 REBAR, PER NEC SECTION 250-61.
15. SITE SOIL SHALL BE TESTED FOR SULFATE CONTENT AND CONCRETE WILL SHALL BE ADJUSTED ACCORDINGLY.
16. ADDITIONAL SULFATE CONTENT AND 4% SULFATE CONCENTRATION FOR HIGH SULFATE CONTENT.
17. INSPECTOR TO THE BUILDING CONTRACTOR SHALL NOTIFY THE BUILDING INSPECTOR THE SOILS ANALYSIS SHALL NOTIFY THE BUILDING INSPECTOR WITHIN 10 DAYS OF THE TEST OR ALLOWANCE VALUES AS DETERMINED BY THE A.B.C. (2) THE UTILITY TRENCHES HAVE BEEN PROPERLY BACKFILLED AND (3) THE FOUNDATION EXPLANATIONS COMPLY WITH THE INTENT OF THE SOILS REPORT IF APPLICABLE.

1. PUMPING HEADS SHALL BE CONSIDERED AND LOCATED ON THE ROOF OR IN ANOTHER PLACE WHERE THE GREATEST ELEVATION POSSIBLE.
2. ALL PUMPING POWER LINES IN THE RAINDOWN SHALL BE COMPLETELY SURROUNDED BY FIBERGLASS INSULATION.
3. WATER PIPES SHALL BE ISOLATED FROM FRAMING BY RESILIENT BRACKETS.
4. NEW WATER GUESTS SHALL USE NO MORE THAN 1.8 GPM PER TUB AND SHALL MEET PERFORMANCE STANDARDS ESTABLISHED BY THE CALIFORNIA WATERWORKS ASSOCIATION (CWA) AND THE CODE SECTION 1729.2.3 INSIDE THE STANDARD AVAILABLE AT 4.3
5. PROVIDE MINIMUM 1" DIA. MAIN WATER SUPPLY LINE FOR NEW WATER SERVICE.
6. IN SHOWER AND TUB-SHOWER CONNECTIONS, CONTROL VALVES MUST BE PRESSURE BALANCED ON THE TUB/TOWER MARKING VALVE.
7. WATER HEATERS SHOULD BE STRAPPED WITH 1/2" X 8" STUDS TO REST AGAINST CEILING. STRAPS SHALL BE WITHIN THE STRUCTURAL AND LOWER 1/3 OF HEIGHT W/ LOWER STRAP 4" MIN. ABOVE THE CONTROL.
8. WATER HEATING SHOULD HAVE TEMPERATURE AND PRESSURE RELIEF VALVE DISCHARGING TO APPROVED LOCATIONS.
9. ALL ROOF DIPS AND LAWN SPRINKLER SYSTEMS SHALL HAVE MAXIMUM FLOW RATE STANDARDS SET BY THE CALIFORNIA ENERGY COMMISSION:
10. WATER CLOSERS
SHOWERHEADS
SHOWERHEADS
LAUNDRY FAUCETS
SINK FAUCETS
BE NON-SLIP (NEEDLE) JUNT
PROMOTE TO HIGH NON-ABSORBENT WALL ADJACENT TO SHOWER
AND APPROVED SHATTER RESISTANT MATERIALS FOR SHOWER
ENCLOSURES AND WINDOWS IF ALL IS LESS THAN 5' ABOVE TUB OR
SHOWER FLOOR. (WATER RESISTANT OPSHA BOARD IS NOT PERMITTED
FOR THE BLOWING AT 13.5 GPM.)
SHOWERHEADS TO 13.5 GPM. REQUIRED FOR TUB AND SLIP
11. CONT. ON USE AND NOT WETTED LIMIT.
12. ALL COPPER PIPING AND BELOW SLAB SHALL BE ABOVE THE
VAPOR BARRIER IN CLAY SAND AND WRAPPED IN PLASTIC TO
13. PREVENT CONTACT WITH SOIL OR REINFORCING STEEL.

1. HARDSCAPE & PLANNING SHOULD BE FOR ILLUSTRATIVE PURPOSES ONLY. THE FOLLOWING CONDITIONS MUST BE SATISFIED:
2. A. MAINTAIN 3' SEPARATION BETWEEN EXISTING AND INTERIOR SLABS.
3. B. SEPARATION BETWEEN INTERIOR AND EXTERIOR SLABS SHALL BE 4'.
4. C. CONCRETE AREAS MUST HAVE MIN. 1% ANCHOR FROM BUILDING AND EXISTING SLABS.
5. D. GRAIN TO STREET.
6. E. MAINTAIN 10' MIN. CLEARANCE FROM BUILDING AND EXISTING SLABS.
7. F. WATER MAY NOT DRINK TO AN ADJACENT PRIVATE PROPERTY.
8. G. THE MINIMUM DISTANCE FROM TOP OF THRESHOLD TO EXTERIOR DOOR OR SLAB SHALL BE 12" MIN.
9. H. DO NOT PLACE SLAB AT TOP STAIR DOWN DOORS. OTHERWISE FIRST STAIRING MAY VIOLATE LANDSCAPE PLANS AS LONG AS ALL ABOVE CONDITIONS ARE MET.

3. WHERE EVER THEY OCCUR, ALL PIPING SHALL BE WATERPROOFED WITH BUTIRUL® MEMBRANE ACCORDING TO IFC. RECOMMENDATIONS AND PROVIDED WITH 4" DIA. PERFORATED DRAIN PIPE AT BACK OF FLOORING IN GRAVEL BACKFILL PROTECTED WITH "TARPA" FILTER MESH AND CONNECTED TO SUBSISTANCE DRAINAGE SYSTEM.

[illegible]

AREA TABULATION			
	EXISTING (S&B)	PROPOSED	TOTAL
FIRST FLOOR	2,100	0	2,100
SECOND FLOOR OFFICE	0	880	880
OFFICE	2,330	0	2,330
LOBBY	400	814	514
STAIRS	2,430	1,014	3,044

NOTE: ALL SURFACE WATER SHALL DRAIN AWAY FROM STRUCTURES, AWAY FROM NEIGHBORING PROPERTIES AND LEAD TO THE STREET OR APPROVED TERMINUS. (SEE LANDSCAPE PLAN FOR EXACT DRAINAGE PATTERN). THE FOLLOWING SLOPES SHALL BE MAINTAINED AS A MINIMUM:

- A. 1% AWAY FROM STRUCTURES WITHIN 5 FEET OF STRUCTURE.
- B. 1% FOR ASPHALT AND UNPAVED AREAS.

1. GLASS & ASPHALT COMPOSITION SHINGLES.
2. GUTTERING.
3. LINE OF BUILDING FOOTING.
4. HALF-INCH ROOFING FELT, 1/2 IN. DOWNSPOUT.
5. 1/2 IN. DOWNSPOUT, 1/2 IN. DOWNSPOUT.
6. PROVIDE ELECTRICAL PANEL TO REMAIN.
7. PROVIDE UNDERGROUND UTILITIES TO DAMAGE, OFFICE.
8. 1/2 IN. TALL WOOD SILL.
9. 1/2 IN. HIGH WOOD PILE.
10. EXISTING GAS WATER TO REMAIN.
11. EXISTING GAS WATER TO REMAIN.
12. EXISTING STAIR TO OFFICE.
13. LAKE OR 2ND FLOOR BALCONY.
14. LINE OF 2ND FLOOR.

Approved in Concept

SUBJECT TO CONDITIONS
CITY OF COSTA MESA
P: ~~ANNEXED~~ DEPT.

DIRECTOR OF PLANNING

SHEET INDEX:
A1.0 SITE / ROOF PLAN
A2.1 FIRST FLOOR
A2.2 SECOND FLOOR
A3.0 EXTERIOR ELEVATIONS

SITE/ROOF PLAN



BURGER
KING
& ASSOC

ARCHITECTURE
20331 IRVINE AVE

**SANTA ANA HEIGHTS
CALIFORNIA 92707**

DATE: DECEMBER 1, 2003

DATE: DECEMBER 1, 2003

ORIGIN BY THE

SUMMARY

1

A10

ALLEY

PROPERTY LINE 62.00'

WALL LEGEND:
EXISTING WALL
DEAD WALL
NEW WALL

KEY TO INTERIOR ELEVATIONS

FLOOR PLAN KEY NOTES:

- 36" HIGH CABINET.
- GRANITE SLAB COUNTERTOP TO BE SELECTED BY OWNER.
- 4" GLASS COUNTERTOP TO BE SELECTED BY OWNER.
- WALL MOUNTED GAS HEATER TO BE SELECTED BY OWNER.
- 14" WIDE WOODEN SHOWER WATER CLOSET.
- 32 x 72 TUB SHOWERS W/ STONE SURROUND.
- WASHER AND DRYER TO BE PROVIDED BY OWNER.
- PROVIDE 4" DIA. VENT TO OUTSIDE.
- TYPE "X" GYP. BOARD ON ALL WALL AND CEILING.
- BUILT-IN BOAT SHELVE.
- TEX-O-TEK WEATHER WEAR ELASTOMERIC DECK COATING.
- OVERLAP FLASHING AT PERIMETER TO BE SELECTED BY OWNER.
- STAINLESS STEEL LAUNDRY SINK TO BE SELECTED BY OWNER.
- PROVIDE SEISMIC STRAP WITH 3/8" DIA. X 3' LAG BOLT AT EACH END OF 1 1/2" BY 16 GAGE STRAP TO THE STRUCTURE TO RESIST SEISMIC LOADS. STRAPS SHALL BE WITHIN THE UPPER AND LOWER 1/3 OF HEIGHT W/ LOWER STRAP 4" MIN. ABOVE THE CONTROLS.
- CONCRETE FLOORING SPACE.
- CONCRETE LANDING PER LANDSCAPE PLANS (UNDER SEPARATE PERMIT).
- 2'-6" WIDE X 4'-0" HIGH OPENING FOR 8" GLASS BLOCK.

WINDOW SCHEDULE:

SYM.	SIZE	MAT.	TYPE	GLASS	REMARKS
1	36" X 48"	WOOD	SHUTTERED	TEMPERED	
2	36" X 48"	WOOD	SHUTTERED	TEMPERED	
3	36" X 48"	WOOD	SHUTTERED	TEMPERED	

THIS WINDOW SCHEDULE IS A GUIDE LINE FOR ESTIMATING. FIELD VERIFY ALL OPENINGS BEFORE ORDERING WINDOWS. REFER TO EXTERIOR ELEVATIONS FOR WINDOW OPERATION. ALL WOOD WINDOW OUTLETES TO BE FACTORY PAINTED OR PRIMED BEFORE INSTALLATION. ALL GLASS WITHIN 2 FT. OF A DOOR OR WITHIN 18" OF THE FLOOR TO BE INSPECTED. ALL WINDOWS TO HAVE COPPER FLASHING ABOVE OPENING.

DOOR SCHEDULE:

SYM.	SIZE	MAT.	TYPE	FIN.	REMARKS
1	36" X 48"	WOOD	SHUTTERED	TEMPERED	
2	36" X 48"	WOOD	SHUTTERED	TEMPERED	
3	36" X 48"	WOOD	SHUTTERED	TEMPERED	

HAVE 3 HINGES ON 6'-4" DOOR. PROVIDE COPPER FLASHING ABOVE ALL UNPROTECTED EXTERIOR DOOR OPENINGS. ALL EXTERIOR DOORS TO HAVE MAHOGANY THRESHOLD. ALL EXTERIOR DOORS SHALL HAVE BRASS INTERLOCK BEARING STAMPING. ALL EXTERIOR DOORS SHALL HAVE DEAD BOLT LOCKSET. ALL GLASS IN DOORS SHALL BE TEMPERED.

PROPERTY LINE 125.00'

EXISTING RESIDENCE

PROPERTY LINE 125.00'

1ST FLOOR PLAN

BURGER
III
& ASSOC.

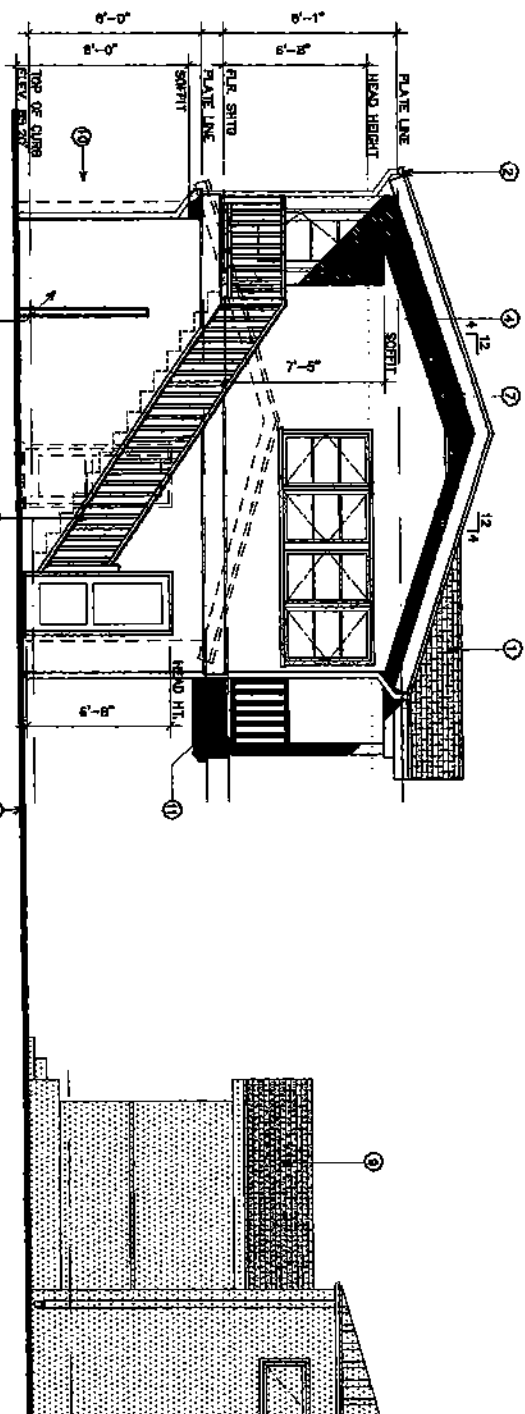
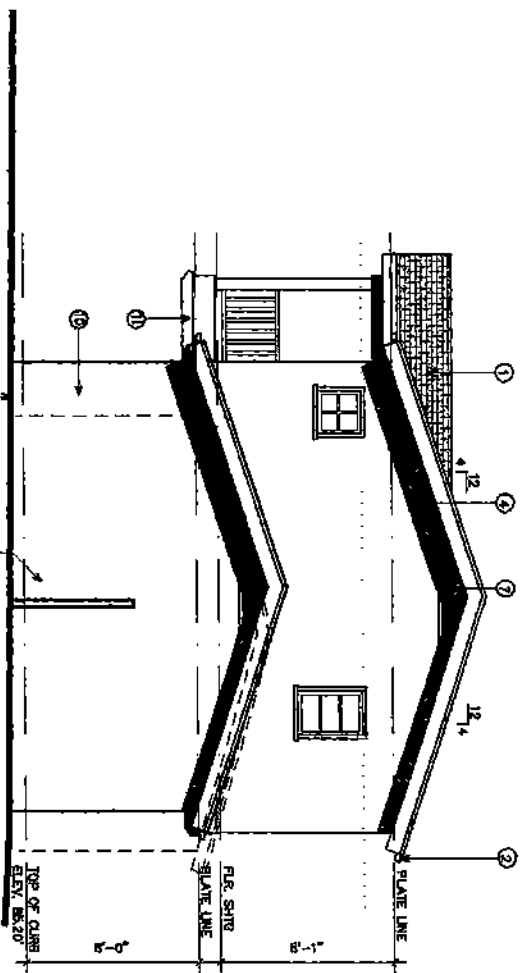
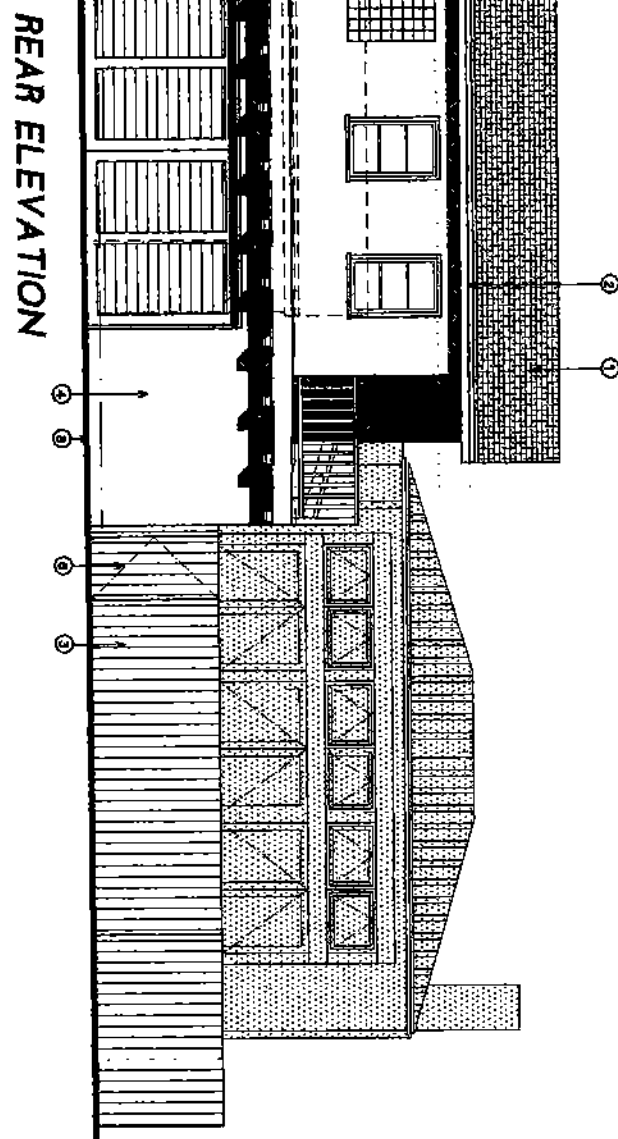
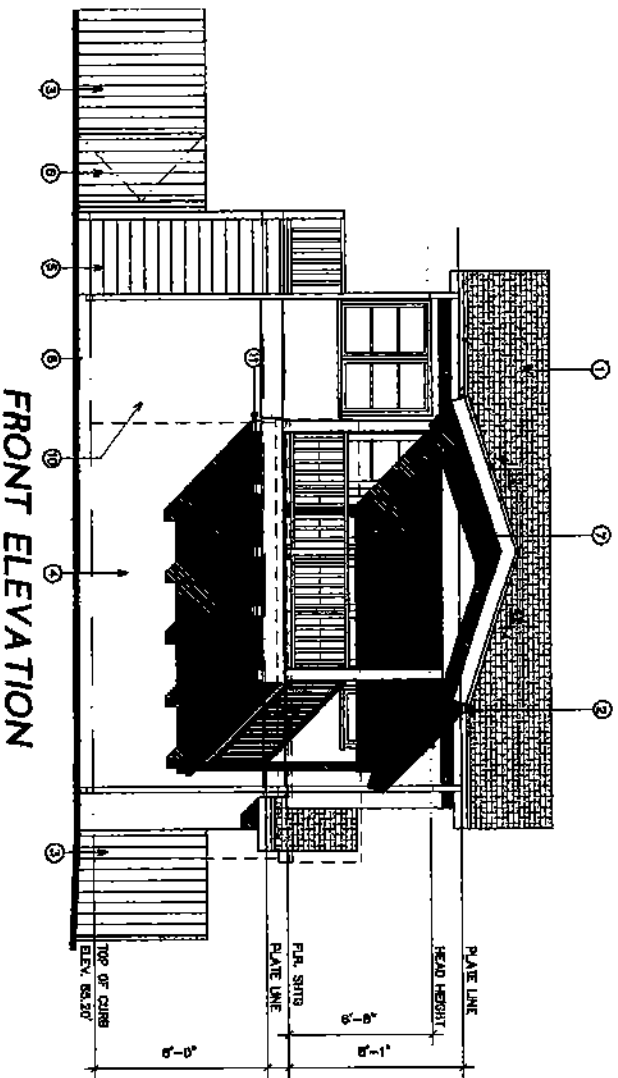
ARCHITECTURE
20331 IRVINE AVE.
SUITE 7
SANTA ANA HEIGHTS
CALIFORNIA 92707
PH: (714) 950-0700
FAX: (714) 950-0772
www.burgetonassociates.com

HARTZELL ADDITION
440 E. 19TH STREET
COSTA MESA, CA



DATE: DECEMBER 1, 2003
SCALE: 1/4"=1'-0"
DRAWN BY: TTB

A2.1



- ELEVATION KEY NOTES:**
1. GLASS 7'4" ASPHALT COMPOSITION SHINGLES
 2. 1/2" THICK ASPHALT COMPOSITION SHINGLES
 3. EXISTING 8' FT. TALL WOOD FENCE TO BE REPLACED.
 4. SMOOTH TRIMMED STUDIOS.
 5. EXTERIOR STAIR TO OFFICE.
 6. 8' FT. TALL WOOD GATE.
 7. 1/2" THICK ASPHALT COMPOSITION SHINGLES
 8. 1/2" THICK ASPHALT COMPOSITION SHINGLES
 9. SHADDED AREA INDICATED EXISTING TO REMAIN.
 10. LINE OF EXISTING GARAGE TO BE DEMOLISHED.
 11. 6" WOOD CORNER.

EXTERIOR ELEVATIONS

21



ARCHITECTURE
20331 IRVINE AVE.
SUITE 7
SANTA ANA HEIGHTS
CALIFORNIA 92707
PH: (714) 850-0700
FAX: (714) 850-0772
www.burgerandassoc.com

HARTZELL ADDITION
440 E. 19TH STREET
COSTA MESA, CA



DATE: DECEMBER 1, 2003
SCALE: 1/8"=1'-0"
DRAWN BY: TB / LDP

A3.0



CITY OF COSTA MESA

P.O. BOX 1200 • 77 FAIR DRIVE • CALIFORNIA 92628-1200

DEVELOPMENT SERVICES DEPARTMENT

December 19, 2003

Andrew K. Hartzell
440 E. 19th St.
Costa Mesa, CA 92627

**RE: MINOR CONDITIONAL USE PERMIT/MINOR DESIGN REVIEW ZA-03-94
440 EAST 19TH STREET, COSTA MESA**

Dear Mr. Hartzell:

The review of minor conditional use permit and minor design review for the above-referenced project has been completed. The application has been approved, based on the following project description and findings, subject to the conditions set forth below:

PROJECT DESCRIPTION

The subject site is located approximately mid block between Tustin Avenue and Irvine Avenue, on the north side of East 19th Street. The property is developed with a single-story, single-family residence and a detached garage at the rear of the property with alley access. The property owner/applicant proposes to demolish the detached garage and construct a new one in its place with an office/library and full bathroom upstairs.

A minor modification (MM-03-57) is approved for a 1 ft. encroachment into the rear setback (5 ft. required; 4 ft. proposed) for 2nd floor projection to provide architectural interest on the (rear) elevation facing the alley.

ANALYSIS

A minor design review is required for any 2-story construction in the R1 (Single Family Residence) zone to ensure proper design consideration and compatibility with surrounding properties.

With exception of the rear setback, all other development standards are complied with. It is staff's opinion that the proposal also meets the purpose and intent of

the Residential Design Guidelines. Although the 2nd floor exceeds 80% of the 1st floor (500 sq. ft./514 sq ft. = 97%) and does not provide a 10 ft. average side setback (6 ft. proposed), it incorporates projections, offsets, articulation and variation in roof orientation for an interesting building mass. The proposed 2nd floor is only 500 sq.ft., which would have been well under the 80% 2nd to 1st floor ratio requirement if it were attached to the main residence (2,030 sq.ft.). The 2nd floor elevation at 6 ft. right side setback is only about 22 ft. in length, overlooking the neighbor's garage, and incorporates a horizontal plane break with the 1st floor eave projection.

The proposed size, design, and location of the structure help to preserve open space on the site and open air for the adjoining properties since it is detached from the main residence and located in the back corner of the lot. It would not overshadow the adjoining dwelling units or backyards. Although views into adjoining properties cannot be eliminated entirely, as with any 2-story construction, the proposal takes into consideration window/balcony locations and other site features to minimize privacy impacts. The proposed structure sits 28 ft. away from the left side property line and is separated from the adjacent property by a row of mature trees, which will remain to minimize views into the neighbor's property. The 2nd floor is set back 6 ft. from the right side property line, but the number and size of windows are limited and overlooks the neighbor's garage. That neighbor has also reviewed the plans and submitted a letter to support the construction.

A minor conditional use permit is required for an incidental residential use that includes a toilet, bathtub, shower, or any combination thereof. The proposed office/library above the detached garage contains a bathroom with toilet, sink and bathtub. It is the property owner/applicant's intent to use this space as his office/library. He has agreed, and a condition has been included, to require a land use restriction be recorded against the property to provide notice that the structure may not be converted to a separate dwelling unit.

FINDINGS

1. The information presented substantially complies with Section 13-29(e), 13-29(g)(2), and 13-29(g)(14) of the Costa Mesa Municipal Code in that:
 - a. The proposed development and use, subject to conditions, is compatible and harmonious with uses on-site as well as those on the surrounding properties. With exception of the rear setback encroachment for architectural interest, the project meets or exceeds all residential development standards and the intent of the design guidelines.
 - b. Safety and compatibility of the design of the buildings, parking areas, landscaping, luminaries, and other site features including functional

aspects of the site development such as automobile and pedestrian circulation have been considered.

- c. The project is consistent with the General Plan.
 - d. The planning application is for a project-specific case and does not establish a precedent for future development.
 - e. The proposed development/use, subject to conditions, is substantially compatible with developments in the same general area. Granting the minor conditional use permit will not be detrimental to the health, safety and general welfare of the public or other properties or improvements within the immediate vicinity. Granting the minor conditional use permit will not allow a use, density or intensity which is not in accordance with the general plan designation for the property.
 - f. The information presented substantially complies with Costa Mesa Municipal Code Section 13-29(g)(14) in that the project complies with the City of Costa mesa Zoning Code and meets the purpose and intent of the Residential Design Guidelines, which are intended to promote design excellence in new residential construction, with consideration being given to compatibility with the established residential community. This minor design review includes site planning, preservation of overall open space, landscaping, appearance, mass and scale of structures, location of windows, varied roof forms and roof plane breaks, and any other applicable design features. Although the second floor to first floor ratio exceeds 80% and the second-story right side does not have an average of 10 ft. setback, it incorporates an eyebrow roof to break up the elevation. Also, the second-story portion at 6 ft. side setback is only approximately 22 ft. in length and overlooks the garage on the adjacent property so visual impact is not anticipated. The size and location of the proposed structure is such that it would not appear obtrusive or out of character with the established neighborhood.
- 2. The project has been reviewed for compliance with the California Environmental Quality Act (CEQA), the CEQA Guidelines, and the City environmental procedures, and has been found to be exempt from CEQA.
 - 3. The project is exempt from Chapter XII, Article 3 Transportation System Management, of Title 13 of the Costa Mesa Municipal Code.

CONDITIONS OF APPROVAL

- Plng. 1. A land use restriction (stating that the proposed addition may not be

converted to a separate dwelling unit) executed by and between the applicant and the City of Costa Mesa shall be recorded prior to the issuance of building permits. Applicant shall submit to the Planning Division a copy of the legal description for the property, and either a lot book report or current title report identifying the current legal property owner so that the document may be prepared.

2. Street address shall be displayed on the fascia adjacent to the main entrance or front door in a manner visible from the public street. Numerals shall be a minimum 6" in height with not less than ½" stroke and shall contrast sharply with the background.
 3. All new and existing construction shall be architecturally compatible with regard to building materials, style, colors, etc. Plans submitted for plan check shall indicate how this will be accomplished.
 4. The conditions of approval and ordinance or code provisions of minor design review ZA-03-94 shall be blueprinted on the face of the site plan as part of the plan check submittal package.
 5. The applicant shall contact the Planning Division to arrange for a Planning inspection of the site prior to the release of occupancy/utilities. This inspection is to confirm that the conditions of approval and code requirements have been satisfied.
- Eng. 6. Maintain the public right-of-way in a "wet-down" condition to prevent excessive dust and promptly remove any spillage from the public right-of-way by sweeping or sprinkling.

CODE REQUIREMENTS

The following list of federal, state and local laws applicable to the project has been compiled by staff for the applicant's reference. Any reference to "City" pertains to the City of Costa Mesa.

- Plng. 1. Approval of the Zoning Action is valid for one (1) year and will expire at the end of that period unless building permits are obtained or the applicant applies for and is granted an extension of time.
2. All contractors and subcontractors must have valid business licenses to do business in the City of Costa Mesa. Final inspections will not be granted until all such licenses have been obtained.
- Bldg. 3. Comply with the requirements of the California Code of Regulations, Title 24, also known as the California Building Standards Code, as amended by the City of Costa Mesa.
4. Submit grading and drainage plan for this project.
5. Prior to or concurrent with the submittal of plans for grading/building/plan check/submittal of final subdivision map for engineering plan check, the applicant shall prepare and submit documentation for compliance with the State Water Resources Control Board (SWRCB) Water Quality

Order 99-08-DWQ; National Pollutant Discharge Elimination System (NPDES) Permit No. CAS000002 for Storm Water Discharges Associated with Construction Activity (General Permit); the California Regional Water Quality Control Board (RWQCB) Santa Ana Region Order No. R8-2002-0010 and NPDES Permit No. CAS618030; and, the City of Costa Mesa Ordinance No. 97-20 for compliance with NPDES Permit for the City of Costa Mesa. Such documentation shall include a Storm Water Pollution Prevention Plan if over 1 acre (if over 5 acres if submitted prior to March 10, 2003) and a Water Quality Management Plan (WQMP) identifying and detailing the implementation of the applicable Best Management Practices (BMPs).

- Eng. 6. At the time of development submit for approval an off-site plan to the Engineering Division and grading plan to the Building Division that shows sewer, water, existing parkway improvements and the limits of work on the site, both prepared by a civil engineer or architect. Construction access approval must be obtained prior to building or engineering permits being issued by the City of Costa Mesa. Pay offsite plan check fee to the Engineering Division. An approved offsite plan and fee shall be required prior to engineering/utility permits being issued by the City.
7. A construction access permit and deposit of \$350 for street sweeping will be required by the Engineering Division prior to the start of any on- or off-site work.
8. Remove existing wood fence from public right-of-way.

SPECIAL DISTRICT REQUIREMENTS

The requirements of the following special districts are hereby forwarded to the applicant:

- Sani. 1. Applicant shall pay all applicable sanitary district fixture fee charges (714) 754-5307.
- School 2. Pay applicable Newport Mesa Unified School District fees to the Building Division prior to issuance of building permits.

Upon receipt of this letter, your project has been approved, subject to the above-listed conditions. A copy of the conceptually-approved site plan is enclosed. The decision will become final at 5 p.m. on December 26, 2003, unless appealed by an affected party or a member of the Planning Commission or City Council, including filing of the necessary application and payment of the appropriate fee.

If you have any questions regarding this letter, please feel free to contact the project planner, Wendy Shih at 714-754-5136 between the hours of 1 p.m. and 5 p.m., Monday through Friday.

Sincerely,

A handwritten signature in black ink, appearing to read "Perry Valentine", with a stylized flourish at the end.

PERRY VALANTINE
Zoning Administrator

Enclosure: Conceptually-approved plans

cc: Engineering/Development Services
Fire Protection Analyst
Water District
Building Division

Morris Berger
436 E. 19th Street
Costa Mesa, CA 92627

Barbara Beck
443 Flower Street
Costa Mesa, CA 92627

PLANNING APPLICATION SUMMARY

Location: 440 E. 19th St. Application: ZA-03-94

Request: MCUP and MDR for an office with full bathroom above a new detached garage at the rear of the property.

SUBJECT PROPERTY:

SURROUNDING PROPERTY:

Zone: <u>R1</u>	North: <u>R1</u>
General Plan: <u>Low Density Residential</u>	South: <u>R1</u>
Lot Dimensions: <u>62 ft. x 125 ft.</u>	East: <u>R1</u>
Lot Area: <u>7,750 sq.ft.</u>	West: <u>R1</u>
Existing Development: <u>Single story, single family residence with a detached 2-car garage.</u>	

DEVELOPMENT STANDARD COMPARISON

<u>Development Standard</u>	<u>Required/Allowed</u>	<u>Proposed/Provided</u>
-----------------------------	-------------------------	--------------------------

Lot Size:		
Lot Width	50 ft.	62 ft.
Lot Area	6,000 sq.ft.	7,750 sq.ft.
Density:		
Zone	1 du/6,000 sq.ft.	1/7,750 sq.ft.
General Plan	1 du/5,445 sq.ft.	1/7,750 sq.ft.
Building Coverage:		
Buildings	NA	33% (2,544 sq.ft.)
Paving	NA	4% (341 sq.ft.)
Open Space	40% (3,100 sq.ft.)	63% (4,865 sq.ft.)
TOTAL	100%	100%
2 nd to 1 st Floor Ratio (accessory structure):	80% *	97% (500 sq.ft./514 sq.ft.)
Building Height (accessory structure):	2 stories/27 ft. (max.)	2 stories/22 ft.
Setbacks (accessory structure):		
Front (to main residence)	10 ft.	16 ft.
Side (left/right)	5 ft./5 ft.	28 ft./ 5ft.
Rear (alley)	5 ft.	4 ft. **
2 nd Floor Average Side Setback:	10 ft. average *	6 ft. average
Parking:		
Covered	2	2
Open	1	1
TOTAL	3	3
Driveway Width:	10 ft.	28 ft.

NA = Not Applicable or No Requirement

CEQA Status Categorical Exemption: Class 3

Final Action Zoning Administrator

* Residential design guidelines.

** Minor Modification MM-03-57 approved for 1 ft. encroachment.

JACK & KATE KAYLOR
446 E. 19th Street
Costa Mesa, CA 92627

City of Costa Mesa
Development Services Department
77 Fair Drive
Costa Mesa, CA 92628
Attn: Zoning Administrator

Dear Zoning Administrator and Members of the Design Review Committee:

We write to support the application of Mr. Andrew Hartzell for a Minor Conditional Use Permit and Minor Design Review approval for his second floor garage addition for a library/office and bathroom.

We own and reside in the house to the immediate east of Mr. Hartzell, and it is our garage and back yard which is the nearest to the proposed second story addition. We have reviewed the building and architectural plans with Mr. Hartzell and fully support his request for this City approval, without reservation. We have initialed a copy of his plans as further evidence of our support for his request for the minor conditional use permit and design review approval.

Sincerely,


Jack and Kate Kaylor (*entire m.*)

SHIH, WENDY

From: barbara [beachbarbara@speakeasy.net]
Sent: Tuesday, December 16, 2003 6:01 PM
To: wshih@ci.costa-mesa.ca.us
Subject: ZA-03-94 Read NOW...Decision date 12/18/03

Dear Wendy Shih, Please make a hard-copy of this email and enter it into the correct file. Thank you. Barbara Beck

To Whom it May Concern: We are opposed to ZA-03-94 as proposed by Andrew K. Hartzell located at 440 E. 19th Street. To some this is an "office," but in the future this detached building with full bath will become one more alley-access rental unit without additional parking in our already dense R-1 neighborhood. There will probably be a "Land Use Restriction" prohibiting a rental unit, but these Land Use Restrictions are impossible to enforce without depending on neighbors to report against neighbors, which is unconstitutional. This structure will also be another two-story building towering over and shadowing the neighbors' private back yard open space. For these reasons please deny ZA-03-94. Please send a notice of the decision to me at 443 Flower Street, Costa Mesa, CA 92627. Thank you. Sincerely, Barbara J. Beck. (949) 548-6393

December 10, 2003

Ms. Wendy Shih
City of Costa Mesa
Planning Division
77 Fair Drive
P.O. Box 1200
Costa Mesa, CA 92626

Dear Ms Shih:

I spoke on the phone to Willa this afternoon regarding notification we received concerning a zoning application ZA-03-94 for Andrew K. Hartzell, our next door neighbor at 440 E. 19th St. We have spoken to Mr. Hartzell and reviewed his plans. The plans we reviewed had several design elements that we are concerned about. They include:

1. Access to the second floor was an open staircase, landing and French door all permitting direct line of site into our yard.
2. At least six feet of French windows wrapping around the northwest corner of the second floor permitting direct line of site into our yard.
3. Glass doors with access to a balcony that will have direct line of site into our yard.

Mr Hartzell also plans to remove an established trees providing partial privacy along the fence to add another room to the rear of his home. We are generally supportive with Mr. Hartzell's desire to improve his property. However, we object to the impact the above elements would have on our home. We have noticed that the majority of second story additions in our neighborhood tend to minimize the number of windows and their size, stairs and other elements that impact adjacent neighbors. We suggested to Mr. Hartzell that the stairs be made internal to his new garage/office and visibility into our yard be minimized.

We would look forward to discussing this further with your office.

Sincerely,

Morris and Agneta Berger
436 E. 19th St.
Costa Mesa, CA 92627

RECEIVED
CITY OF COSTA MESA
DEVELOPMENT SERVICES DEPARTMENT

DEC 15 2003